

**DURHAM, NORTH CAROLINA
THURSDAY, JULY 22, 2004
9:00 A.M.**

Pursuant to the proper notification, the Durham City Council held a special meeting on the above date and time in the Committee Room at City Hall with the following members present: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Best, Brown, Catotti, Clement and Stith. Absent: None.

Mayor Bell called the special meeting to order.

SUBJECT: EVALUTATION OF CITY COUNCIL EMPLOYEES

MOTION by Council Member Catotti seconded by Council Member Brown to go into closed session for the evaluation of the City Manager, City Attorney and City Clerk was approved at 9:10 a.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti and Clement. Noes: None. Absent At Time Of Vote: Council Members Best and Stith.

Mayor Bell stated the Council will discuss the manager's evaluation first.

The City Attorney and City Clerk were excused from the meeting.

The City Council recessed their closed session at 4:55 p.m. At this time, the City Council Work Session was held from 5:00 p.m. until 7:47 p.m.

At 7:47 p.m. and by unanimous vote, the Council returned to closed session to continue the evaluation of the City Manager.

By unanimous vote, the Council returned to open session at 10:40 p.m. and took the following action:

MOTION by Mayor Pro Tempore Cole-McFadden seconded by Council Member Best to recognize a mutual agreement between the City Council and the City Manager for her to be separated from her position as City Manager, effective August 20, 2004, in lieu of termination; and

To provide the City Manager with severance pay consistent with the Manager's employment contract dated June 4, 2001, conditioned on the Manager signing a release agreement and covenant not to sue, on terms and conditions to be negotiated and mutually agreeable to the Mayor and Manager, and subject to approval by the City Council was approved at 10:40 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Best, Brown, Catotti, Clement and Stith. Noes: None. Absent: None.

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There being no further business to come before the Council the meeting was adjourned at 10:41 p.m.

D. Ann Gray, CMC
City Clerk